Suggested Audience Questions

TSCA

1. We understand that OPPT no longer uses the *ad hoc* group to review determinations. The current process is that the decisions made at the Focus and Options meetings are memorialized by staff into determination documents, QCed internally, and then presented to the Office Director for review. Is OPPT considering delegating more of the routine cases to the Division Director level to reduce the burden on the Office Director? What sorts of cases might be delegated?

2. OPPT frequently suggests that submitters provide a significant level of detail in PMNs. The *Points to Consider* document memorializes this practice. During PMN review, the OPPT risk assessors appear to overlook or ignore information provided if EPA's models are more conservative. This is especially true for the engineering reports. If EPA always defers to its models, some question the value in submitters providing details. Would it be more efficient if EPA simply did its assessment *de novo* and inform the submitter what restrictions would be necessary to prevent unreasonable risk? We would expect that if an assessor did not use information provided by the submitter, that the assessor would provide a basis for why the standard model is "reasonably foreseeable."

3. What is OPPT's view regarding "irritation" being an unreasonable risk? If a substance is expected to be irritating to eyes and skin, does OPPT view that as a hazard that must be protected against?

4. This person notes that "we routinely" request the new chemicals reports for all cases except "not likely" cases. We find errors in the assessments (solids being assessed as liquids and vice versa, errors in production volume or release amounts, errors in points of departure (POD)). We bring these to the program manager's attention so that they can be addressed by RAD. We suspect that the errors are an understandable result of the extreme workload and reflective of the relatively new staff. We understand that OPPT has gone through a lean process, but we have not seen a reduction in the error rate. What is OPPT's plan to ensure that assessments are being reviewed for accuracy?

5. This question relates to the inhalation category for surfactants. EPA's category for all surfactants is informed solely by inhalation data for a single cationic surfactant that is also a pesticide active ingredient. Based on that "worst case," EPA sets a low POD for all surfactant PMNs that do not have inhalation data leading to stringent respiratory protection (*e.g.*, powered air supply APF 1000 respiratory protection). How does OPPT reconcile this view with the fact that dozens of surfactants are listed on the SCIL (Safer Chemical Ingredients List)? Some question how can it be that OPPT has sufficient data to designate a particular surfactant as "safer" when a surfactant in a PMN will be barred from any consumer use or any spray use.

FIFRA

1. Unlike many other nominees facing Senate confirmation, Assistant Administrator Dunn, you had broad bipartisan support at your confirmation hearing before the Senate Environment Committee. The Senators especially cited your work as Regional Administrator in New England -- Region 1. What lessons or approaches from the successful experience in Region 1 do you think will be most applicable to now being Assistant Administrator for OCSPP?

2. During the shutdown, not only did PRIA not get reauthorized, but also EPA reported that hundreds of pesticide registration applications were received on top of the already large workload in the pesticide program. When will EPA know and communicate the impact the shutdown and reduced fees have on previous deadlines, the need for extensions, and general impacts on decision time lines?

3. Regarding ESA, both the Bush and Obama Administrations devoted significant efforts trying to coordinate OPP reviews with the efforts of the Services. Now, EPA with USDA and the Services are working under a Memorandum of Agreement -- issued about a year ago -- to attempt to fashion a more workable and effective way of working together to meet the requirements of both ESA and FIFRA. Given the many competing priorities of both OPP and OPPT -- registration review, TSCA deadlines -- how do you plan to devote enough time, energy, and attention to bring the inter-agency process to a successful conclusion?